

## Central Valley Regional Water Quality Control Board

21 June 2013

Ted Woodruff  
M2 Winery  
9636 Enchantment Lane  
Stockton, CA 95209

**CERTIFIED MAIL**  
**7012 0470 0000 9903 6859**

***NOTICE OF APPLICABILITY, CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS AND SMALL WINERIES WITHIN THE CENTRAL VALLEY REGION, ORDER R5-2009-0097-0087, M15 LLC, SAN JOAQUIN COUNTY***

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff reviewed the 24 May 2013 Report of Waste Discharge (RWD) submitted by M2 Winery to apply for regulatory coverage under the *Conditional Waiver of Waste Discharge Requirements for Small Food Processors and Small Wineries within the Central Valley Region, Order R5-2009-0097* (Order). The Order, which was adopted by the Central Valley Water Board on 8 October 2009, is a conditional waiver of waste discharge requirements for small wineries and small food processors with limited or no discharge to land.

The facility and property are owned and operated by M15 LLC (“Discharger”). Based on the information submitted, the discharge as described in the RWD satisfies the general and specific conditions of Resolution No. R5-2009-0097 for the projected volume of wastewater to be generated annually. You are hereby assigned Order R5-2009-0097-0087. A copy of the Order is enclosed and it is also available on the internet at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/#waivers](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers)

Please familiarize yourself with the contents of the Order including the discharge and monitoring requirements. The facility must be operated in accordance with the requirements contained in the Order and with the information submitted in the RWD. Failure to comply with the monitoring and reporting requirements of the Order may result in enforcement action pursuant to California Water Code, Section 13261, which can include imposition of civil liability (a fine).

### **DISCHARGE DESCRIPTION**

M2 Winery is located at 2900 Peltier Road, San Joaquin County. The property currently consists of approximately 17 acres of vacant land (APN 013-150-031). On 2 February 2013, the San Joaquin County Community Development Department issued a Notice of Determination, approving a Negative Declaration for the phased construction of the M2 Winery over a 5-year period. Construction and initial planting of a vineyard is planned to be completed before the fourth quarter of 2013.

Upon completion, the facility will include approximately 23,500 square feet of winery buildings (tasting room, production areas, barrel storage, and office space) and 14.3 acres of vineyards. The facility will also include a 20 by 40 foot covered crush pad and two 1,500-gallon above-ground wastewater storage tanks built with secondary containment. Two wells currently exist at the site, one for domestic use and for agricultural irrigation.

The Discharger estimates that during the first five years of operation, the winery will produce approximately 36,000 gallons of wine and generate up to approximately 6,000 gallons of wastewater annually. Wastewater generated during crushing, bottling, and equipment cleaning will be collected and stored in the two aboveground tanks until it is transferred into tanker trucks and hauled off-site to a permitted facility for treatment and disposal.

Crushing activities will occur on a covered concrete-paved wash station area. The concrete pad will be sloped inward to a drain connected to the wastewater storage tanks. Crushed solids and skimmed solids recovered during fermentation (pomace and leaves) will be separated out and transported off-site for recycling. No winery waste will be discharged to land. Storm water will be collected separately from wastewater, and will be retained on-site. Once planted, the vineyard will be irrigated from an on-site well using a pressurized drip system.

Sanitation chemicals to be used during facility operations include sodium hydroxide, citric acid, peroxide acetic acid, and sodium percarbonate at volumes ranging from approximately 15 to 110 pounds per year. Facility operations will be performed to manage the proper use, storage, and disposal of these materials.

Domestic wastewater will be collected in a septic tank and discharged to an on-site leachfield system. The domestic wastewater system is permitted through San Joaquin County.

## **MONITORING AND REPORTING**

The Order includes specific monitoring and reporting requirements that you must comply with, including routine monitoring and reporting to the Central Valley Water Board. Please review the Monitoring and Reporting Program closely and establish the appropriate record keeping system so that you are able to complete the required Annual Monitoring Report form, contained in the Order. **By February 1 of each year**, the Annual Monitoring Report form must be submitted to our office, even if there is no discharge during the reporting year.

## **GENERAL INFORMATION AND REQUIREMENTS**

The Order includes specific and general conditions required for your operation. In addition, you must maintain control over the discharge and operate in accordance with the information provided in your application and this Notice of Applicability.

Please review this Notice of Applicability carefully to ensure that it completely and accurately reflects the facility name, location, and discharge. Failure to comply with the requirements of the Order may result in enforcement action as authorized by provisions of the California Water Code, which could include civil liability. Discharge of wastes not described in the RWD is prohibited. If the method of waste disposal changes from that described in your application, you must submit an updated RWD to describe the new operation.

Please note that the Order will expire on **8 October 2014**, after which you must do one of the following:

1. Submit a new application with a filing fee to obtain coverage under a subsequently adopted waiver; or
2. Submit an application with a filing fee to apply for individual or general Waste Discharge Requirements, or
3. Cease the discharge.

If you have any questions regarding submitting an updated RWD, or questions about your permit obligations, please contact Mr. Scott Armstrong of the Discharge to Land Permitting Unit, at (916) 464-4616 or [sarmstrong@waterboards.ca.gov](mailto:sarmstrong@waterboards.ca.gov).

All compliance and enforcement questions should be directed to Mr. Brendan Kenny of the Compliance and Enforcement Section, at (916) 464-4635 or [bkenny@waterboards.ca.gov](mailto:bkenny@waterboards.ca.gov). All monitoring reports must be submitted to Mr. Kenny by the compliance due date.

*ORIGINAL SIGNED BY ANDREW ALTEVOGT FOR:*

PAMELA C. CREEDON  
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order No. R5-2009-0097

cc: Mr. Rodney Estrada, San Joaquin County Environmental Health Dept., Stockton